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on June 11, 2004

Glenn P. Ladwig  
Glenn P. Ladwig, Patent Attorney

INFORMATION DISCLOSURE  
STATEMENT

Examining Group 1632

Patent Application

Docket No. UF-221C1XCZ1

Serial No. 10/706,635

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 1632  
Applicants : Richard W. Moyer, Yi Li  
Serial No. : 10/706,635  
Filed : November 12, 2003  
Conf. No. : 8304  
For : Materials and Methods for Delivery and Expression of Heterologous DNA in Vertebrate Cells

MS AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §§1.97 AND 1.98

Sir:

In accordance with 37 CFR §1.97 and §1.98, the applicants would like to bring to the attention of the Examiner, the references cited in the following patent application:

U.S. Serial No. 09/662,254, filed September 14, 2000.

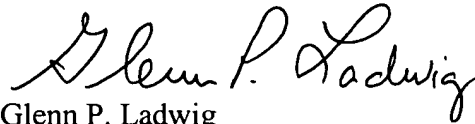
The subject application, Serial No. 10/706,635, claims the benefit under 35 USC §120 of the filing date of patent application Serial No. 09/662,254. The applicants respectfully request that the copies of references supplied in the Information Disclosure Statements of the 09/662,254 application, as well as references cited during the prosecution thereof, be made of record in the 10/706,635 application. As copies of the references filed in the 09/662,254 application, and cited on the attached

form PTO/SB/08, can be found in the 09/662,254 casefile, copies of those references are not provided herewith.

It is respectfully requested that the references cited in the 09/662,254 application be considered in the examination of the subject application and that their consideration be made of record.

The applicants respectfully assert that the substantive provisions of 37 CFR §§1.97 and 1.98 are met by the foregoing statements.

Respectfully submitted,



Glenn P. Ladwig

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GPL/mv

Attachment: Form PTO/SB/08 (4 pages)



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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<b>Substitute for form 1449A/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)			<b>Complete if Known</b>		
			Application Number	10/706,635	
			Filing Date	November 12, 2003	
			First Named Inventor	Richard W. Moyer	
			Art Unit	1632	
			Examiner Name		
Sheet	1	of	4	Attorney Docket Number	UF-221C1XCZ1

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
	U1	US-5,721,352	02-24-1998	Moyer et al.	All
	U2	US-5,753,258	05-19-1998	Schreier et al.	All
	U3	US-5,762,924	06-09-1998	Dall et al.	All
	U4	US-6,106,825	08-22-2000	Moyer et al.	All
	U5	US-5,935,777	08-10-1999	Moyer et al.	All
	U6	US-6,127,172	10-03-2000	Moyer et al.	All
	U7	US-			
	U8	US-			
	U9	US-			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup>	Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)			
	F1		WO 94/13812 A2	06-23-1994	Univ. of Florida	All
	F2		WO 98/50571 A1	11-12-1998	Univ. of Florida	All
	F3		WO 96/09074 A1	03-28-1996	General Hosp. Corp.	All
	F4		WO 99/61069 A1	12-02-1999	Univ. of Florida	All
	F5					
	F6					
	F7					

Examiner Signature		Date Considered	
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Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

**Complete if Known**

Application Number	10/706,635
Filing Date	November 12, 2003
First Named Inventor	Richard W. Moyer
Group Art Unit	1632
Examiner Name	
Attorney Docket Number	UF-221C1XCZ1

Sheet	2	of	4
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**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article, (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	R1	AFONSO, C.L. <i>et al.</i> "The genome of Melanoplus sanguinipes Entomopoxvirus" <i>J. Virol.</i> , 1999, 73:533-552.	
	R2	ARIF, B. M. and KURSTAK, E. The Entomopoxviruses. In "Viruses of Invertebrates," E. Kurstak, Ed., 1991, pp. 179-195. Marcel Dekker, Inc., New York.	
	R3	BAWDEN, A. L. <i>et al.</i> Entomopoxvirus Vectors. In "Viral Vectors: Basic Science and Gene Therapy," 2000, pg. 341-355, A. Cid-Arregui, Ed., Eaton Publishing, Natick, MA (In Press).	
	R4	BAWDEN, A.L. <i>et al.</i> "Complete Genomic Sequence of the Amsacta moorei Entomopoxvirus: Analysis and Comparison with Other Poxviruses" <i>Virology</i> , 2000, 274:120-139.	
	R5	BERNS, K.I. and BOHENZKY, R.A. "Adeno-Associated Viruses: An Update" <i>Adv. Virus Res.</i> , 1987, 32:243-306.	
	R6	FERNON, C.A. <i>et al.</i> "Replication of Heliothis armigera entomopoxvirus in vitro" <i>J. Invertebr. Pathol.</i> , 1995, 66:216-223.	
	R7	GAUTHIER, L. <i>et al.</i> "The Melolontha melolontha Entomopoxvirus (MmEPV) Fusolin Is Related To The Fusolins Of Lepidopteran EPVs And To The 37K Baculovirus Glycoprotein" <i>Virology</i> , 1995, 208:427-436.	
	R8	GOEBEL, S.J. <i>et al.</i> "The complete DNA sequence of vaccinia virus" <i>Virology</i> , 1990, 179, 247-66, 517-63.	
	R9	GOODING, L.R. "Virus proteins that counteract host immune defenses" <i>Cell</i> , 1992, 71:5-7.	
	R10	GOODWIN, R.H. <i>et al.</i> "Replication of the entomopoxvirus from Amsacta moorei in serum-free cultures of a gypsy moth cell line" <i>J. Invertebr. Pathol.</i> , 1990, 56:190-205.	
	R11	GRANADOS, R.R. "Entomopoxvirus infections in insects", In: Pathogenesis of invertebrate Microbial Disease, 1981, pp 102-126, Davidson, E.W. (ed.) New Jersey, Allanheld Totowa.	
	R12	GRUIDL, M.E. <i>et al.</i> "Mapping and molecular characterization of a functional thymidine kinase from Amsacta moorei entomopoxvirus" <i>Virology</i> , 1992, 186:507-516.	
	R13	HALL, R.L. and HINK, W.F. "Physical mapping and field inversion gel electrophoresis of Amsacta moorei entomopoxvirus DNA" <i>Arch. Virol.</i> , 1990, 110:77-90.	

Examiner  
SignatureDate  
Considered

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Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)			<b>Complete if Known</b>		
			Application Number	10/706,635	
			Filing Date	November 12, 2003	
			First Named Inventor	Richard W. Moyer	
			Group Art Unit	1632	
			Examiner Name		
Sheet	3	of	4	Attorney Docket Number	UF-221C1XCZ1

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article, (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	R14	HALL, R.L. and R.W. MOYER "Identification, cloning, and sequencing of a fragment of Amsacta moorei entomopoxvirus DNA containing the spheroidin gene and three vaccinia virus-related open reading frames" <i>J. Virol.</i> 1991, 65:6516-6527.	
	R15	HALL, R.L. and MOYER, R.W. "Identification of an Amsacta spheroidin-like protein within the occlusion bodies of Choristoneura entomopoxviruses" <i>Virology</i> , 1993, 192:179-187.	
	R16	HALL, R.L. <i>et al.</i> "The Amsacta moorei entomopoxvirus spheroidin gene is improperly transcribed in vertebrate poxviruses" <i>Virology</i> , 1996, 224:427-436.	
	R17	KAPLITT, M.G. <i>et al.</i> "Long-term gene expression and phenotypic correction using adeno-associated virus vectors in the mammalian brain" <i>Nat. Genet.</i> 1994, 8:148-154.	
	R18	KOTIN, R.M. <i>et al.</i> "Characterization of a preferred site on human chromosome 19q for integration of adeno-associated virus DNA by non-homologous recombination" <i>The EMBO Journal</i> , 1992, 11(13):5071-5078.	
	R19	LANGRIDGE, W.H.R. "Detection of Amsacta moorei Entomopoxvirus and Vaccinia Virus Proteins in Cell Cultures Restrictive for Poxvirus Multiplication" <i>Journal of Invertebrate Pathology</i> , 1983, 42:77-82.	
	R20	LI, X. <i>et al.</i> "Cloning, sequencing and transcriptional analysis of the Choristoneura fumiferana entomopoxvirus spheroidin gene" <i>Virus Res.</i> , 1997, 47:143-154.	
	R21	LI, Y. <i>et al.</i> "Transient, Nonlethal Expression of Genes in Vertebrate Cells by Recombinant Entomopoxviruses" <i>Journal of Virology</i> , Dec. 1997, 71(12):9557-9562.	
	R22	LI, Y. <i>et al.</i> "High-level expression of Amsacta moorei entomopoxvirus spheroidin depends on sequences within the gene" <i>Journal of General Virology</i> , 1998, 79:613-622.	
	R23	LYTVYN, V. <i>et al.</i> "Comparison of the thymidine kinase genes from three entomopoxviruses" <i>J. Gen. Virol.</i> , 1992, 73:3235-3240.	
	R24	MOYER, R.W. Entomopoxviruses, p. 392-397, Encyclopedia of Virology, R.G. Webster and A. Granoff (eds.), 1994, Academic Press Ltd, London.	
	R25	NIENHUIS, A.W. <i>et al.</i> "Viruses as Therapeutic Gene Transfer Vectors" In: N.S. Young (ed.) Viruses and Bone Marrow, Marcel Dekker, New York, 1993, pp 353-414.	
	R26	PALMER, C. <i>et al.</i> "Genetic modification of an entomopoxvirus: deletion of the spheroidin gene does not affect virus replication in vitro" <i>Journal of General Virology</i> , 1995, 76:15-23.	

Examiner Signature	Date Considered
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Sheet	4	of	4	Attorney Docket Number	UF-221C1XCZ1

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	R27	ROSS, G. <i>et al.</i> "Gene Therapy in the United States: A Five-Year Status Report" <i>Human Gene Therapy</i> , Sept, 1996, 7:1781-1790.	
	R28	SMITH, G.L. <i>et al.</i> "Nucleotide sequence of 42 kbp of vaccinia virus strain WR from near the right inverted terminal repeat" <i>J. Gen. Virol.</i> , 1991, 72:1349-1376.	
	R29	SMITH, G.L. "Secreted poxvirus proteins that interact with the immune system" <i>Effects of Microbes on the Immune System</i> , 2000, 491-507.	
	R30	SRISKANTHA, A. <i>et al.</i> "Mapping of the Heliothis armigera entomopoxvirus (HaEPV) genome, and analysis of genes encoding the HaEPV spheroidin and nucleoside triphosphate phosphohydrolase I proteins" <i>J Gen Virol</i> , 1997, 78:3115-3123.	
	R31	VERMA, I.M. and N. SOMIA "Gene Therapy C promises, problems and prospects" <i>Nature</i> , 1997, 389:239-242.	
	R32	WINTER, J. <i>et al.</i> "The effect of inhibitors on the growth of the entomopoxvirus from Amsacta moorei in Lymantria dispar (gypsy moth) cells" <i>Virology</i> , 1995, 211:462-473.	
	R33	SMITH, G.L. "Virus strategies for evasion of the host response to infection" <i>Trends in Microbiology</i> , March 1994, 2(3):81-88.	
	R34	MUSTAFA, A. and L. YUEN "Identification and sequencing of the Choristoneura biennis entomopoxvirus DNA polymerase gene" <i>J. DNA Sequencing and Mapping</i> , 1991, 2:39-45.	
	R35	MARSHALL, E. "Gene Therapy's Growing Pains" <i>Science</i> , 1995, 269:1050-1055.	
	R36	ORKIN <i>et al.</i> Report and Recommendations of the Panel to Assess the NIH Investment in Research on Gene Therapy" 1995.	
	R37		
	R38		
	R39		

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